

## (b) Requalification Marking Location

Independent Cylinder Training (ICT), Amerigas, and NPGA oppose the proposed requirement in § 180.213(c)(1)(i) that would require requalification marks be placed in a specific location adjacent to the original manufacturing markings. ICT, Amerigas, and NPGA state that this requirement is too restrictive, and in certain cases impossible to meet due to the size and type of cylinders involved. Bancroft Hinchey supports a requirement to “lay out requalification markings neatly and consistently.”

*PHMSA response.* We agree with the comments submitted by ICT, Amerigas, and NPGA. While we would have liked to provide a consistent location for requalification markings for shippers and fillers, we recognize the diversity of cylinder types and sizes makes this effort difficult. Therefore, in this final rule we are not adopting the change to § 180.213(c) that was proposed in the NPRM. Requalification markings must be applied in a legible and durable manner and may be placed on any portion of the upper end of the cylinder excluding the sidewall. We welcome petitions on this requirement for possible inclusion in a future rulemaking.

## (c) Requalification Marking Depth

Bancroft Hinchey commented that § 180.213(c) should be modified to provide guidance on requalification marking depth when the cylinder specification does not provide any information on accepting marking depth.

*PHMSA response.* While PHMSA agrees that cylinder requalifiers should not mark cylinders to a depth greater than the original manufacturer’s markings, we do not agree with Bancroft Hinchey’s comment to modify § 180.213(c). PHMSA believes that including the phrase “or the original manufacturer’s markings” to § 180.213(c) will increase confusion among cylinder requalifiers.

## (9) Comments Related to § 180.215

## (a) Use of Symbols for Cylinder Dimension

Bancroft Hinchey requested clarification of the revision to § 180.215 to permit use of symbols for actual dimensions.

*PHMSA response.* The use of a symbol in place of the written dimensions of the cylinder is permitted by § 180.215(b) as long as the symbols on the reference chart available at the requalifier’s facility are accurate for the actual measured dimensions of each

cylinder requalified. It is PHMSA’s understanding that some cylinder requalifiers maintain reference charts with symbols cross-referenced to the actual measured dimensions of common cylinder models. As long as the facility has an accurate reference document that cross-references the symbol entered on the requalification record with the actual measured dimensions of the cylinder requalified, they may use that symbol to meet the requirement to enter the actual dimensions of a cylinder on the requalification record. This will increase flexibility and reduce burdens for requalifiers without compromising safety.

## (b) Gas Service and Year of Manufacture

Hydro-Test Products commented on the proposed change to cylinder requalification recordkeeping requirements. They noted that in the NPRM we did not discuss the additional requirement to record the cylinder’s year of manufacture or gas service in § 180.215(b)(2). Hydro-Test Products is opposed to the proposed change to cylinder requalification recordkeeping requirements and believes it would impose an undue burden on cylinder requalifiers.

*PHMSA response.* We disagree with Hydro-Test Products’ comment. The requirement for cylinder requalifiers to keep a record of the cylinder’s date of manufacture and gas service is useful for several reasons. The eligibility for the “star” mark in § 180.209(b), allowing a 10-year requalification period instead of 5 years, depends on the year of manufacture and gas service, as does the “+” mark for 10 percent overfilling in § 173.302a(b). The applicability of the option to requalify a cylinder via external visual inspection in § 180.209(g) is also dependent on the particular gas service in which the cylinder is used. The year of manufacture is also helpful in determining whether a 3AL cylinder was constructed from 6351–T6 aluminum alloy, and therefore subject to eddy current examination. Use of 6351–T6 aluminum alloy in DOT 3AL cylinders was discontinued in 1990. We believe that the addition of these two pieces of information to cylinder requalification records creates only a minimal reporting burden on the regulated community while aligning recordkeeping requirements with operational practice. See further discussion in Section VIII.G in this rulemaking document regarding the information collection burden of this requirement. In this final rule, we are adopting the changes as proposed, and modifying § 180.215(b)(2) to require

cylinder requalifiers to record the year of manufacture and gas service of each cylinder they requalify.

## (10) Reclaimed Refrigerant Gas

Section 180.209(e) authorizes proof pressure testing for DOT 4-series cylinders in non-corrosive gas service. In the NPRM we proposed to add the following sentences to this paragraph: “However, a cylinder used for reclaiming, recycling, or recovering refrigerant gases must be requalified by volumetric expansion testing every 5 years. Reclaimed, recycled, or recovered refrigerant gases are considered to be corrosive due to contamination.” In this final rule, we are not adding these sentences to § 180.209(e). Although we believe that cylinders used for reclaimed refrigerant gases are generally not eligible for the exception in § 180.209(e) because of the contaminants encountered in this service, we are uncertain whether this is always the case. Therefore, PHMSA has decided that the most practical regulatory alternative at this time is to leave the § 180.209(e) exception allowing a 10-year testing interval for DOT 4-series cylinders used in non-corrosive gas service unchanged. As provided in § 173.22, it is the shipper’s responsibility to classify a hazardous material properly.

## (11) RIN Markings for Foreign Cylinders

In the HMR, foreign cylinders not manufactured to a DOT, UN, TC, CTC, BTC or CRC specification may be filled and transported for export or for use on board a vessel in accordance with § 171.23(a)(5) (note that this reference was originally § 171.23(a)(4), and has changed to § 171.23(a)(5) after publication of final rule HM–219C). Requalification for these cylinders is discussed in § 180.209(l), which prohibits the marking of the cylinder with a requalifier’s RIN, instead requiring only the month and year of requalification. In the NPRM, we proposed to require a RIN marking for these foreign cylinders, along with the symbol “EX,” to reduce confusion among fillers and clarify that these foreign cylinders had been requalified in accordance with part 180, subpart C. We received no comments on this proposal. In this final rule, we will adopt this requirement. We believe that the symbol “EX” in association with the RIN provides necessary information to inspectors and users that these cylinders are limited to export or vessel service in accordance with § 171.23(a)(5). The inclusion of a RIN marking, which signifies compliance with part 180 subpart C, will increase clarity for fillers